

REMARKS

On August 20, 2010, the Board of Patent Appeals and Interferences (“the Board”) issued a decision on appeal, *inter alia*, reversing the Examiner’s decision to reject dependent claims 2, 5, 25 and 26 and independent claim 34 as obvious. On November 1, 2010, the Office issued a communication setting a one-month period for the Applicant to present the dependent allowable claims in independent form. This amendment is responsive to the November 1, 2010 Office communication.

For at least the reasons set forth below, Applicant submits that each of the pending claims is allowable.

Claim 1 has been amended to incorporate the subject matter of claim 2, which has been canceled. No new subject matter has been added. Since the Board reversed the Examiner’s decision to reject dependent claim 2, Applicant submits that claim 1, as amended, is allowable.

Claims 4-10, 12-20, 22-27 and 30-33 depend from claim 1 and, therefore, are allowable for at least the same reasons as claim 1.

The Board reversed the Examiner’s decision to reject claim 34. Claim 34, therefore, is allowable.

Claim 35 depends from claim 34 and, therefore, is allowable for at least the same reasons as claim 34.

Claim 38 represents previously-pending dependent claim 5 rewritten in independent form. No new subject matter has been added. Since the Board reversed the Examiner’s decision to reject previously-pending dependent claim 5, Applicant submits that claim 38 is allowable.

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Claim 39 represents previously-pending dependent claim 25 rewritten in independent form. No new subject matter has been added. Since the Board reversed the Examiner's decision to reject previously-pending dependent claim 25, Applicant submits that claim 39 is allowable.

Claim 40 represents previously-pending dependent claim 26 rewritten in independent form. No new subject matter has been added. Since the Board reversed the Examiner's decision to reject previously-pending dependent claim 26, Applicant submits that claim 40 is allowable.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The excess claims fee in the amount of \$544 is being paid concurrently herewith on the Electronic Filing System (EFS) by deposit account authorization. Please apply any other charges or credits to deposit account 06-1050.

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Respectfully submitted,



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